

**Senate Judiciary Committee Amendment #2 (by Fowler)**

**Amendment No. 1 to SJR0629**

**Person, Curtis  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Joint Resolution No. 629\***

by deleting the first and second resolving clauses and by substituting instead the following:

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH  
GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF  
REPRESENTATIVES CONCURRING, that a majority of all the members of each house  
concurring, as shown by the yeas and nays entered on their journals, that it is proposed  
that Article II, Section 24, of the Constitution of the State of Tennessee be amended by  
deleting the following paragraph:

In no year shall the rate of growth of appropriations from state tax  
revenues exceed the estimated rate of growth of the state's economy as  
determined by law. No appropriation in excess of this limitation shall be made  
unless the General Assembly shall, by law containing no other subject matter, set  
forth the dollar amount and the rate by which the limit will be exceeded.

and by substituting instead the following paragraphs:

In no fiscal year shall expenditures of state tax revenues exceed the  
Constitutional Spending Limitation unless the General Assembly shall enact, by a  
two-thirds majority of the total membership of each house, a law setting forth the  
dollar amount and the rate by which the limit will be exceeded during such fiscal  
year and containing no other subject matter. All state tax revenue collections for  
the fiscal year in excess of the limitation, as modified by any duly enacted  
exception to the limit, must be deposited in the Reserve for Revenue Fluctuations  
until such reserve account equals seven percent of estimated state tax revenue  
expenditures for such fiscal year. Within twelve months following the close of the  
fiscal year, any such excess revenue collections above the amount required to  
maintain such reserve account at the seven percent level must be returned to

taxpayers through a rate reduction in the tax levied on the retail sale of food and food ingredients for human consumption or, if such tax on food and food ingredients is eliminated, then through a manner prescribed by law. Funds withdrawn from the Reserve for Revenue Fluctuations shall constitute state tax revenue expenditures. Under no circumstances do the provisions of this paragraph permit deficit spending as prohibited by the preceding paragraph of this section. As used in this paragraph:

(1) "Constitutional Spending Limitation" and "spending limit" mean total state tax revenue expenditures for the base year, as adjusted to cumulatively reflect the estimated rate of change in per capita personal income of Tennesseans for each fiscal year following the base year; and

(2) "Base year" means fiscal year 2010-2011 unless two consecutive General Assemblies shall enact, by a two-thirds majority of the total membership of each house, a law designating another fiscal year as the base year and containing no other subject matter.

On the books and records of the state treasury, there shall be a reserve account in the general fund to be known as the Reserve for Revenue Fluctuations. Each year, the governor shall include in the budget document and corresponding general appropriations bill an amount to be allocated to such reserve account at least equal to ten percent of the estimated growth in state tax revenue expenditures for the fiscal year. Such allocation shall be annually included in the budget until the reserve account equals at least seven percent of estimated state tax revenue expenditures for the fiscal year. In subsequent budgets, the governor shall include an allocation to the reserve account at least equal to the lesser of:

(1) An amount equal to ten percent of estimated growth in state tax revenue expenditures for the fiscal year; or

(2) An amount sufficient to maintain the reserve account at seven percent of the estimated state tax revenue expenditures for the fiscal year.